

## **RESOLUTION NO. 10577**

### **A RESOLUTION APPOINTING AND ESTABLISHING A GOVERNANCE STRUCTURE AND FISCAL AGENT FOR OPIOID LITIGATION SETTLEMENT FUNDS**

**WHEREAS**, in February 2018, the City of Great Falls retained counsel to represent the City in claims and/or litigation against opioid-based drug manufacturers and distributors (hereinafter “Opioid Litigation”); and

**WHEREAS**, the City of Great Falls entered into settlement of claims in the Opioid Litigation against certain manufactures, distributors and others in the opioid pharmaceutical supply chain, and joined a settlement agreement with the Montana Attorney General and other Montana local government entities to ensure a fair and transparent process for making decisions on how to use Opioid Litigation settlement funds; and

**WHEREAS**, this settlement agreement is memorialized in a November 26, 2021 Memorandum of Understanding with the Attorney General and other participating Montana local government entities, including the City of Great Falls, and a January 26, 2022 Amendment to the Memorandum of Understanding (Contract 22-09; R0424733) (collectively “MOUs”); and

**WHEREAS**, the MOUs set out the allocation, management and use of Opioid Litigation settlement funds that the State of Montana and local government entities, including the City of Great Falls, will follow; and

**WHEREAS**, the City of Great Falls is within the Cascade County/Great Falls Metro Region as established by the MOUs, and is entitled to receive Opioid Litigation settlement funds; and

**WHEREAS**, pursuant to the MOUs, any participating local government shall create a governance structure for the administration, management and use of Opioid Litigation settlement funds; and

**WHEREAS**, the City Commission of Great Falls expressed a willingness and ability to designate two of its members and the Fiscal Agent, to serve as the governing structure to address the acquisition, administration, management and use of Opioid Litigation settlement funds recoverable by City of Great Falls as a participating local government under the MOUs; and

**WHEREAS**, pursuant to the MOUs, the governing structure shall include designation of a Fiscal Agent to receive and distribute Opioid Litigation Settlement Funds allocated to the participating local government, and endeavor to assure the funds are disbursed according to the terms of the MOU and Settlement Agreements; and

**WHEREAS**, the City Finance Director, Melissa Kinzler, expressed a willingness and ability to serve as the designated Fiscal Agent to serve on the governing structure, to receive and distribute Opioid Litigation Settlement Funds, to endeavor to assure the funds are disbursed according to the terms of the MOU and Settlement Agreements for the City, and to serve as the primary point of contact or authorized official for the City of Great Falls for the purposes of communicating with the National Opioid Settlement Administrator.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:**

1. The Great Falls City Commission appoints two of its members, \_\_\_\_\_ and \_\_\_\_\_, and the Fiscal Agent who shall serve as the governing board for the administration, management and use of Opioid Litigation settlement funds received by the City of Great Falls.
2. The City of Great Falls Finance Director shall serve as the Fiscal Agent for the City of Great Falls as it relates to Opioid Litigation settlement funds and the MOUs and may on behalf of the governing board of the City of Great Falls City Commission, submit claims, requests for disbursements, accountings of spending and any other financial reports or matters as it relates to these funds.
3. The City of Great Falls Finance Director shall serve as the authorized official for the City of Great Falls for purposes of communication with the National Opioid Settlement Administrator.
4. This Resolution shall be effective upon adoption, and the Great Falls City Commission, and City Finance Director shall serve in the above respective positions until otherwise duly resolved by a majority of the City Commission.

**PASSED AND ADOPTED** by the City Commission of the City of Great Falls, Montana, April 15, 2025.

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Cory Reeves, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

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David D. Dennis, City Attorney